

UNITED STATES DISTRICT COURT
FOR THE Northern District of Illinois – CM/ECF NextGen 1.7.1.1
Eastern Division

James Reed

v.

Plaintiff,

Case No.:
1:23-cv-14321
Honorable John F.
Kness

Illinois Court of Appeals , First District (1-23-0478) on
Appeal from Circuit Court of Cook COunty Illinois
(17COTD3838), et al

Defendant.

NOTIFICATION OF DOCKET ENTRY

This docket entry was made by the Clerk on Wednesday, September 11, 2024:

MINUTE entry before the Honorable John F. Kness: Before the Court is Petitioner's pro se motion [36] under Rule 59(e) to reinstate the case. This case was dismissed because of want of prosecution. (See Dkt. [24], which cites the Court's oral reasons for dismissing the case; see also Dkt. [33] and [28]). Rule 59(e) allows a court to alter or amend a judgment "only if the petitioner can demonstrate a manifest error of law or present newly discovered evidence." *Ewing v. 1645 W. Farragut LLC*, 90 F.4th 876, 893 (7th Cir. 2024) (cleaned up). Petitioner barely addresses that standard and instead provides a lengthy recitation on the merits. But want of prosecution was the basis of dismissal, and Petitioner's arguments directed to that basis are not compelling. Petitioner contends that he did not receive notice of the relevant hearings, but his then-lawyers certainly did. Petitioner apparently chose not to stay in contact with his lawyers; that was his business, but it does not compel a finding that this Court committed a manifest error of law in dismissing the case. Parties who have lawyers bear an obligation to stay in touch with their agents. As the Seventh Circuit has explained, when a party "invokes the judicial system by filing a lawsuit, it must abide by the rules of the court; a party cannot decide for itself when it feels like pressing its action and when it feels like taking a break." *James v. McDonald's Corp.*, 417 F.3d 672, 681 (7th Cir. 2005) (cleaned up). Because Petitioner has not shown error in the dismissal of his case, the Rule 59(e) motion is denied, and the case remains closed. Mailed notice. (exr,)

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